

REMARKS

This Amendment is submitted preliminary to the issuance of an Office Action in the present application and in response to the Official Action of January 23, 2008.

Claims 2-4, 7-21, 26-27, 31 are pending in the application. Claims 9, 26, 31 have been amended. Claim 27 has been canceled. No amendment to the specification has been made. No fee is due.

It is noted that claim 27 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 27 is also rejected under 35 U.S.C. §101. Claim 27 has now been canceled.

Claims 26-27, 31 stand rejected under 35 U.S.C. §102(b) as being anticipated by Kuckes '755, of record.

Claims 2-3, 7-21, 26-27, 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kuckes '755 in view of Kuckes '775, of record.

Claims 4, 15-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kuckes '755 in view of Bladen, of record.

Claims 10-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kuckes '755 in view of Kuckes '775, and further in view of CreightonIV, of record.

Record is also made of a telephonic interview between applicant's representative and the Examiner which took place on May 20, 2008. The Examiner is thanked for her help and assistance as well as for the courtesies extended to Counsel at that time. The interview was conducted on the basis of amendments to independent claims 9, 26, 31, as faxed to the Examiner beforehand. During the course of the interview, further changes to the independent claims 9, 26, 31 were discussed to better distinguish them from the prior art of record.

As a result of the interview, applicant now submits amendments to claims 9, 26 and 31 which are drawn up in accordance with the agreement at the interview. A final determination about patentability of the independent claims 9, 26, 31 depends on the outcome of an updated search.

In view of the above, each of the presently pending claims in this application is considered patentably differentiated over the prior art of record and believed to be in immediate conditions for allowance. Reconsideration and allowance of the present application are thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

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